IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928
WA.No. 162 of 2007(B)

AGAINST THE JUDGEMENT IN WPC.32936/2006 Dated 14/12/2006
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APPELLANT: PETITIONER.

DR.LALLY M.S., AGED 33 YEARS,
W/O. MADHU P.P., RESIDING AT PATHANIPADAM,
MULANTHURUTHY, ERNAKULAM DISTRICT, NOW WORKING AS
ASSISTANT SURGEON, GOVERNMENT HOSPITAL,
MULANTHURUTHY.

BY ADV. SRI.M.P.KRISHNAN NAIR

RESPONDENTS: RESPONDENTS.
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY, HEALTH DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. DIRECTOR OF HEALTH SERVICE,
THIRUVANANTHAPURAM.
3. DIRECTOR OF MEDICAL EDUCATION,
THIRUVANANTHAPURAM.
4. UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM, REPRESENTED BY REGISTRAR.
5. KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI.SANDESH RAJA FOR R1 TO R3
BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY,R4.
BY ADV. SRI.P.C.SASIDHARAN, SC., PSC, R5.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.Raman & Antony Dominic, JJ.

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W.A.No. 162 of 2007

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Dated this the 6th day of March, 2007.

JUDGMENT

Raman,J.

The Writ Petition was filed seeking to call for the records including the minutes book of the examination for MD Pharmacology conducted by Kerala University in November, 2005 and also Exts.P4 and P5 provisional and original certificates and also Ext.P6 notice of the P.S.C. and quash Ext.P6 to the extent of directing the petitioner to appear the exam only if she obtained the provisional certificate by 29.5.2005. Even though there are two more reliefs sought for during the course of argument, the other reliefs were not pressed into service as recorded in the judgment. As against the relief sought for as noticed, reliefs have been granted by the learned single Judge. As such, there is no further reliefs to be granted, as far as the present appeal is concerned.

2. However, the learned counsel Shri.M.P.Krishnan Nair, appearing on behalf of the appellant would submit that there are only five persons as per the list published by the Public Service Commission

as against six vacancies and if the other vacancy remains unfilled, necessarily re-advertisement will have to be issued by which the Government may be directed to take appropriate steps. As the dispute does not pertains to such a case, we cannot be possibly issue any direction. However, it is open to the petitioner to approach the concerned authorities by filing representation in that behalf, if he is otherwise entitled to.

With the above observations, this Writ Appeal is dismissed.

P.R.Raman,
Judge.

Antony Dominic,
Judge.

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